



**TIFFANY & BOSCO**  
P.A.

**2525 EAST CAMELBACK ROAD  
SUITE 300**

**PHOENIX, ARIZONA 85016**

**TELEPHONE: (602) 255-6000**

**FACSIMILE: (602) 255-0192**

**Dated: February 18, 2011**

A handwritten signature in black ink, appearing to read "George B. Nielsen, Jr.", is written over a horizontal line.

**GEORGE B. NIELSEN, JR**  
**U.S. Bankruptcy Judge**

Mark S. Bosco  
State Bar No. 010167  
Leonard J. McDonald  
State Bar No. 014228  
Attorneys for Movant

11-00076

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA**

IN RE:

Stefan I. Singureanu  
Debtor.

Bank of America, NA  
Movant,  
vs.

Stefan I. Singureanu, Debtor, Lothar Goernitz,  
Trustee.

Respondents.

No. 2:10-BK-39145-GBN

Chapter 7

ORDER

(Related to Docket #19)

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefore,

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real  
2 property which is the subject of a Deed of Trust dated September 23, 2005 and recorded in the office of  
3 the Orange County Recorder wherein Bank of America, NA is the current beneficiary and Stefan I.  
4 Singureanu has an interest in, further described as:

5 PARCEL 1:

Unit 47, in the County of Orange, State of California, consisting of certain airspace and  
6 surface elements, as shown and described in the Condominium Plan ("Plan") for Phase 2 of  
Laurelmont recorded September 26, 1985 as Instrument No. 85-475874 of Official  
7 Records of Orange County, California.

8 PARCEL 2:

An undivided one forty-first (1/41 st) fee simple interest as a tenant in common in and to all  
9 of the real property, including, without limitation, the Common Areas defined in the  
Declaration of Termination of Prior Declaration and Phase 2 Notice of Addition and  
10 Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for  
Laurelmont ("Declaration") recorded February 7, 1986 as Instrument No. 86-052926 of  
11 Official Records of Orange County, California, and in the Notice of Annexation and  
Addition of Territory and Supplemental Declaration of Covenants, Conditions and  
12 Restrictions for Phase 2 of Laurelmont ("Notice") recorded February 18, 1986 as  
Instrument No. 86-065653 and re-recorded March 31, 1986 as Instrument NO.  
13 86-125869, both of Official Records of said County, on Lot 2 of Tract No. 12230, as  
shown on a map recorded in Book 538, pages 23 to 26 of Miscellaneous Maps, records of  
Orange County, California.

14 EXCEPT THEREFROM, all of the Units as shown on the Plan.

EXCEPT THEREFROM all oil, gas, minerals and hydrocarbons, below a depth of 500 feet,  
15 without the right of surface entry, as reserved in instruments of record.

16 PARCEL 3:

Exclusive easements appurtenant to Parcels 1 and 2 described above for front and rear  
17 yard purposes as shown and assigned in the Notice.

18 PARCEL 4:

Non-exclusive easements for access, ingress, egress, maintenance, repair, drainage,  
19 encroachment, support and for other purposes, all as described in the Declaration of  
Covenants, Conditions and Restrictions for Aliso Viejo Community Association  
("Community Declaration") recorded April 6, 1982 as Instrument No. 82-118353 of  
Official Records of Orange County, California.

20 IT IS FURTHER ORDERED that Movant may contact the Debtor by telephone or written  
21 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance  
22 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement  
23 with Debtor. However, Movant may not enforce, or threaten to enforce, any personal liability against  
24 Debtor if Debtor's personal liability is discharged in this bankruptcy case.

25 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter  
26 to which the Debtor may convert.